

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-10 (Cancelled).

11. (Currently Amended) A cosmetic preparation containing  
\_\_\_\_\_ a metal-effect pigment ~~consisting of~~ a metal substrate having a layer encapsulating the substrate produced in the sol-gel process,  
\_\_\_\_\_ providing a barrier effect with respect to sweat and saliva and preventing direct contact between the human body and the metallic substrate,  
\_\_\_\_\_ said metal pigment being water-wettable;  
\_\_\_\_\_ wherein the layer encapsulating the substrate consists essentially of SiO<sub>2</sub>; and  
\_\_\_\_\_ wherein the silica particles generating the coating of the metal pigment have an average diameter of < 100 nm and the preparation feels accordingly smooth in its application.

12. (Previously Presented) A cosmetic preparation according to claim 11, wherein it is available in the form of

a creme, a lotion, an eye shadow, a lipstick, a mascara, a gel, a make-up formulation, or a self-tanning creme or lotion.

Claim 13 (Cancelled).

14. (Previously Presented) A cosmetic preparation according to claim 11, wherein it imparts a uniform optical impression of the skin without changing the color of the skin.

15. (Previously Presented) A cosmetic preparation according to claim 11, wherein it evens out or covers up skin impurities.

16. (Currently Amended) A cosmetic preparation according to claims 11, wherein it contains a weight percentage of 0.2% to 40%, ~~preferably of 0.2% to 10%, and particularly preferably of 0.2% to 5%~~ of said metal pigment.

17. (Previously Presented) A cosmetic preparation according to claim 11, wherein it is a nail polish.

18. (Previously Presented) A cosmetic preparation according to claim 17, wherein it is based on nitrocellulose.

19. (Currently Amended) A cosmetic preparation ~~according to~~ as in any of the above preceding claims, wherein it additionally contains benzotriazoles.

Claim 20 (Cancelled).

21. (New) The cosmetic preparation of claim 16 wherein said weight percentage of metal pigment is 0.2 to 10%.

22. (New) The cosmetic preparation of claim 16 wherein said weight percentage of metal pigment is 0.2 to 5%.